

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, May 1, 1995, the following members were present:

Nancy McCaffree, Chair
 Dave Fisher, Vice Chair
 Bob Anderson, Commissioner
 Danny Oberg, Commissioner
 Bob Rowe Commissioner

APPEARANCE

Dan Elliott, Administrator
 Utility Division

(170) In the matter of MOUNTAIN WATER COMPANY - DOCKET NO. 94.10.46; Parties to this docket have filed a request to suspend the procedural schedule because they have entered into stipulation negotiations. Suspension of the schedule would include vacating the scheduled May 24, 1995, hearing date. Commissioner Rowe moved to suspend the schedule and vacate the hearing. Commissioner Anderson seconded the motion, which passed unanimously.

(171) In the matter of BHP&L - DOCKET 95.3.12; On March 28, 1995, BHP&L filed a Quarterly Fuel Rate Rider application. A Notice of Opportunity for Public Hearing was issued on March 29, 1995. Requests for hearing were due by April 25, 1995. No requests have been received. This application will increase rates by \$30,386 over the base cost of fuel approved in Docket No. 83.4.25. A default order has been drafted. Commissioner Oberg moved to grant Default Order No. 5841. Commissioner Fisher seconded the motion, which passed unanimously.

APPEARANCE

Bonnie Lorang
 Transportation Division

(172) In the matter of Docket T-95.7.ST - Kevin Paul Cunningham dba Port Polson Taxi Service, Polson, Montana has filed an application for transfer of Montana Intra state Certificate of Public Convenience and Necessity, PSC No. 9218 to Robert B. and Emma C. Chada dba Port Polson Taxi Service, Polson, Montana.

Class B - Persons, baggage, and express within the City of Polson, Montana and between points and places within a seventy (70) mile radius thereof. Limitations: 1) Transportation of baggage and express is limited

to that transported by passenger automobile only. Transportation in limousine service is prohibited. 2) Transportation must originate or terminate in Lake County. 3) Transportation as a Medicaid provider is prohibited. 4) Carrier is prohibited from picking up passengers or express in Flathead County. 5) Transportation is limited to ten passengers or less.

6) Carrier is prohibited from transporting packages containing the following materials: audit and accounting media, data processing media and business records, processed and unprocessed film and microfilm and incidental supplies relating to snapshots and microfilm, non-negotiable securities, non-negotiable bank checks and valuable papers.

NOTE: Certificate will be reissued upon transfer deleting reference to transportation of express and deleting Limitation No. 6) due to the federal preemption of intrastate property.

Commissioner Rowe moved to approve the transfer of PSC No. 9218. Commissioner Fisher seconded the motion, which passed unanimously.

(173) In the matter of Docket T-95.29.ST; James H. Hagen dba Old Trapper Taxi, Helena, Montana has filed an application for transfer of Montana Intrastate Certificate of Public Convenience and Necessity, PSC No. 2111 to Dennis L. and Trudi K. Hovden dba Old Trapper Taxi, Helena, Montana.

Class C - Property as specified (general commodities except commodities in bulk in tank trucks,) within the City of Helena, Montana, and to or from points tributary thereto, but within a distance not exceeding twenty-five (25) miles in any direction from said city. Limitations: Transportation of ashes, trash, waste, refuse, rubbish and garbage is prohibited.

Class B - Persons within the city limits of Helena, Montana and a fifty (50) mile radius thereof.

Commissioner Anderson moved to approve the transfer of PSC No. 2111. Commissioner Rowe seconded the motion, which passed unanimously.

(174) In the matter of Docket T-95.12.RR; Rarus Railway Company, Anaconda, Montana, filed notice with the Montana Public Service Commission, pursuant to 69-14-813(2), MCA for the following proposed trackage removals from the East Anaconda Yard:

Trk # 99 South Rip	1,257 feet
Trk #520 Middle Rip	801 feet
Trk #519 North Rip	908 feet
Trk #570 Stuart Branch	2,201 feet
Trk #574 Stuart Siding	991 feet
Trk #575 Stuart Siding	2,084 feet

No protests were received.

Commissioner Fisher moved to approve the trackage removal. Commissioner Rowe seconded the motion, which passed unanimously.

(175) In the matter of Rarus Railway Company, Anaconda, Montana, filed notice with the Montana Public Service Commission, pursuant to 69-14-813(2), MCA for the following proposed trackage removals from the Rocker Yard:

Trk # 37 South #1	2,826 feet
Trk # 38 South #2	3,064 feet
Trk # 29 East Milw Connection	100 feet
Trk # 30 East to South #2	100 feet
Trk # 31 Middle Crossover	100 feet
Trk # 32 West to South #2	100 feet
Trk # 33 Milw Crossover	100 feet
Trk # 34 West Milw Connection	100 feet
Trk #332 North #7	1,858 feet

Trk #292 North #6

2,199 feet

No protests were received.

Commissioner Fisher moved to approve the trackage removal. Commissioner Rowe seconded the motion, which passed unanimously.

(176) In the matter of Docket T-95.14.RR; Rarus Railway Company, Anaconda, Montana, filed notice with the Montana Public Service Commission, pursuant to 69-14-813(2), MCA for the following proposed trackage removals from West Butte:

Trk # 24 North #1	2,299 feet
Trk # 25 North #2	2,102 feet
Trk # 27 Ramp Track	221 feet

No protests were received.

Commissioner Fisher moved to approve the trackage removal. Commissioner Rowe seconded the motion, which passed unanimously.

(177) In the matter of Docket T-95.15.RR; Montana Rail Link, Missoula, Montana, filed notice with the Montana Public Service Commission, pursuant to 69-14-813(2), MCA to remove a track 400.3' long including turnout, off of Montana Rail Link's Industry Lead which runs parallel to Edward Street in the B.N. Industrial Park at Billings, Montana. The track served the former King Transfer and Storage Co. building. No protests were received.

Commissioner Oberg moved to approve the trackage removal. Commissioner Rowe seconded the motion, which passed unanimously.

(178) In the matter of Docket T-95.16.RR; Montana Rail Link, Missoula, Montana, filed notice with the Montana Public Service Commission, pursuant to 69-14-813(2), MCA to remove a track 515.5' long including turnout, off of Montana Rail Link's Industry Lead which runs parallel to Edward Street in the B.N. Industrial Park at Billings, Montana. The track serves the SYSCO warehouse at Edward Street and Monad Road. No protests were received.

Commissioner Oberg moved to approve the trackage removal. Commissioner Rowe seconded the motion, which passed unanimously.

(179) In the matter of TN1698; Fred M. Zweifel dba Circle Z Enterprises, Virginia City, Montana requests permission to continue the suspension of PSC No. 9270 for the period April 28, 1995 to May 26, 1995.

Class B - Passengers within the City of Virginia City and a two mile radius thereof.

Commissioner Fisher moved to grant the continued suspension of PSC No. 9270. Commissioner Rowe seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

NANCY McCAFFREE, Chair

DAVE FISHER, Vice Chair

BOB ANDERSON, Commissioner

DANNY OBERG, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, May 1, 1995, the following members were present:

Nancy McCaffree, Chair
Dave Fisher, Vice Chair
Bob Anderson, Commissioner
Danny Oberg, Commissioner
Bob Rowe Commissioner

APPEARANCE

Mike Lee, Robin McHugh, Karen Hammel

(180) In the matter of the Commission's discussion of a petition for rulemaking to develop rules for IntraLATA Equal Access (1+1) - Docket No. 95.4.18; Commissioner Oberg moved to direct staff to draft a notice of receipt of a rulemaking from AT&T on IntraLATA Equal Access and invite comments for 30 days from parties on this request. Commissioner Anderson seconded the motion, which passed unanimously.

APPEARANCE
Robin McHugh

(181) In the matter of the Commission's discussion of Congressional legislation pending on the proposed sale of power marketing authorities; Commissioner Anderson moved to go on record and draft a letter in opposition of the sale of the power marketing agencies. Commissioner Rowe seconded the motion, which passed unanimously.

APPEARANCE
Robin McHugh, Karen Hammel, Jeaneen Campbell

(182) In the matter of the Commission's discussion of REA State Telecommunication's Modernization Plan; Commissioner Anderson moved to notify the Rural Utilities Service that the Montana PSC will not develop a state communication modernization plan as required by the Rural Utilities Service for its member organizations. Commissioner Fisher seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

NANCY McCAFFREE, Chair

DAVE FISHER, Vice Chair

BOB ANDERSON, Commissioner

DANNY OBERG, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, May 2, 1995, the following members were present:

Nancy McCaffree, Chair
Dave Fisher, Vice Chair
Bob Anderson, Commissioner
Danny Oberg, Commissioner

Commissioner Bob Rowe was ill but left his votes as noted on each of the following.

APPEARANCE
Martin Jacobson, Ron Woods

(183) In the matter of the Commission's discussion of letters and complaints regarding implementation of rates by Lone Mountain Springs; Commissioner Fisher moved to direct staff to draft a letter of response to complainants outlining implications of the customers and seeking advice if they want to proceed with formal complaints. Commissioner Fisher withdrew his motion.

Commissioner Fisher moved to initiate the formal complaint process and serve said complaints upon the utility. Commissioner Anderson seconded the motion, which passed unanimously. Commissioner Rowe left his proxy to Commissioner Fisher.

APPEARANCE
Will Rosquist, Karen Hammel

(184) In the matter of N-94-100 - U S West Communications discussion of filing and action (North Hills Project); Commissioner Anderson moved to accept staffs recommendation to approve the filing and simultaneously examine whether the tariff requirement is justifiable. Commissioner Fisher seconded the motion, which passed unanimously. Commissioner Rowe left his proxy to Commissioner Anderson.

APPEARANCE

Will Rosquist, Karen Hammel

(185) In the matter of the Commission's discussion of Clark Fork Telephone - Docket No. 94.12.63; Commissioner Anderson moved to approve Final Order No. 5832A with changes as read by Commissioner Rowe (#1, #2 and #9). Commissioner Fisher seconded the motion, which passed. Commissioners McCaffree, Fisher, Anderson and Rowe voted aye. Commissioner Oberg dissented. Commissioner Rowe voted aye with Commission Secretary via telephone call in the morning.

APPEARANCE

Will Rosquist, Robin McHugh, Denise Peterson

(186) In the matter of the Commission's discussion of PP&L Integrated Resource Filing (IRP) - Docket No. 94.4.19; Commissioner Anderson moved to approve Proposed Order No. 5839. Commissioner Oberg seconded the motion, which passed unanimously. Commissioner Rowe voted aye with Commission Secretary via telephone call in the morning.

APPEARANCE

Will Rosquist, Denise Peterson

(187) In the matter of PP&L Energy Efficiency Rider filing - No. N-95-18; Commissioner Anderson moved to deny the filing. Commissioner Oberg seconded the motion, which passed. Commissioners Anderson and Oberg voted aye. Commissioner Rowe voted aye via telephone call in the morning. Commissioners Fisher and McCaffree dissented.

There being no further business to come before the Commission the meeting was adjourned.

NANCY McCAFFREE, Chair

DAVE FISHER, Vice Chair

BOB ANDERSON, Commissioner

DANNY OBERG, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, May 2, 1995, the following members were present:

- Nancy McCaffree, Chair
- Dave Fisher, Vice Chair
- Bob Anderson, Commissioner
- Danny Oberg, Commissioner

Commissioner Bob Rowe was ill but left his votes as noted on each of the following.

APPEARANCE

Wayne Budt, Dan Elliott, Robin McHugh

(188) In the matter of the Commission's discussion of its travel and budget; Commissioner Fisher moved to approve out-of-state travel for Joel Tierney to attend the Substance Abuse Seminar, in Oklahoma City, Oklahoma, May 16-17, 1995 and Bob Anderson to attend the NARUC-Nuclear Waste Issues Forum on May 24 and 25, 1995. Commissioner Oberg seconded the motion, which passed unanimously. Commissioner Rowe voted aye via telephone call with Commission Secretary in the morning.

(189) In the matter of the Commission's discussion of its budget and personnel matters; Commissioner Oberg moved to transfer Dave Burchett to the Utility Division - Rate Analyst position, subject to training agreement. Commissioner Oberg withdrew his motion.

Commissioner Oberg moved to open internally, one (1) Rate Analyst position for one (1) week. Commissioner Fisher seconded the motion, which passed.

Commissioners

McCaffree, Fisher, Oberg and Rowe voted aye. Commissioner Anderson abstained. Commissioner Rowe voted aye upon his return to the office.

Commissioner Fisher moved to transfer Norma Shuttlesworth into the commission's vacant position number 33. Commissioner McCaffree seconded the motion, which failed on a tie vote. Commissioners McCaffree and Fisher voted aye. Commissioners Oberg and Anderson dissented.

Commissioner Oberg moved to transfer the Commission Assistant position to the Utility Division for in-house filling of the position. Position will be opened internally for one (1) week. Commissioner Fisher seconded the motion, which passed. Commissioner McCaffree, Fisher, Oberg and Rowe voted aye. Commissioner Anderson dissented. Commissioner Rowe voted aye upon his return to the office.

APPEARANCE

Bonnie Lorang, Wayne Budt, Martin Jacobson

(190) In the matter of the Commission's discussion of Docket No. T95.10.PCN, Valet Limousine, Inc., Missoula, Montana, and certain prehearing motions; Commissioner Oberg moved to dismiss the protest filed by Camelot Limousine and to grant the application for a Montana Certificate of Public Convenience and Necessity to the following extent:

Class B - Passengers in limousine service from points in Missoula County to all points and places in Ravalli County. Limitations: 1) transportation is limited to a maximum of six passengers per vehicle. 2) transportation which originates at the Missoula County Airport is prohibited. Commissioner Oberg further moved to dismiss the protest filed by Duane and Debbie Bartlett dba Camelot Limousine Service. Commissioner Fisher seconded the motion, which passed unanimously. Commissioner Rowe voted aye upon his return to the office. There being no further business to come before the Commission the meeting was adjourned.

NANCY McCAFFREE, Chair

DAVE FISHER, Vice Chair

BOB ANDERSON, Commissioner

DANNY OBERG, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, May 8, 1995, the following members were present:

Nancy McCaffree, Chair
Dave Fisher, Vice Chair
Danny Oberg, Commissioner
Bob Rowe Commissioner

Commissioner Anderson was attending the NARUC - Renewables Conference in Madison, Wisconsin but left his votes with the Commission Secretary.

APPEARANCE

Dan Elliott, Administrator
Utility Division

(191) In the matter of U S WEST COMMUNICATIONS - DOCKET N-95-31; On April 6, 1995, USWC filed Tariff Transmittal 95-50 to replace its current Exchange and Network Services Tariff following conversion of the tariff from the WANG word processing software to Microsoft Word. Commissioner Rowe moved to approve the filing. Commissioner Fisher seconded the motion, which passed unanimously. Commissioner Anderson voted aye.

(192) In the matter of SPRINT - DOCKET N-95-28; On March 30, 1995, Sprint filed proposed tariff revisions which change the terms and conditions of its Foncard, Sprint Sense and Business Sense services as well as rate changes for these services. Commissioner Fisher moved to approve the filing. Commissioner Rowe seconded the motion, which passed unanimously. Commissioner Anderson voted aye.

(193) In the matter of TOWN OF ALBERTON - DOCKET NO. 95.3.10; On March 24, 1995, the Town of Alberton filed an Application with the Commission requesting a sewer rate increase to provide revenues to defray increased operation and maintenance expenses. The proposed 125% increase will generate approximately \$17,286 in additional annual revenues. A Notice of Opportunity for Public Hearing was issued March 27, 1995, with protests and requests for hearing due by April 25, 1995. No protests or requests for hearing have been received. An order granting the unprotested sewer rate increase has been drafted and is ready for action. Commissioner Rowe moved to grant Order No. 5846. Commissioner Fisher seconded the motion, which passed unanimously. Commissioner Anderson voted aye.

(194) In the matter of WEST YELLOWSTONE GAS CO. - DOCKET NO. 95.4.15; On April 10, 1995, West Yellowstone Gas Co. (WYG), a division of Great Falls Gas Co., filed an application with the Commission for approval of initial rates for liquified natural gas service to customers in West Yellowstone, MT. WYG proposes an initial rate of \$6.46/mcf for residential and small commercial and \$5.65/mcf for commercial,

both with a flexible range of 25% up and down. In addition, WYG proposes a customer charge of \$4.00 for single and two family dwellings and \$5.00 for large commercial and \$5.00 for negotiated contract service. An interim order has been drafted and is ready for action. Commissioner Fisher moved to grant Interim Order No. 5848. Commissioner Rowe seconded the motion, which passed unanimously. Commissioner Anderson voted aye.

(195) In the matter of PACIFICORP - DOCKET 95.4.19; On April 25, 1995, PacifiCorp filed an application for authority to borrow the proceeds of not more than \$125,000,000 of Pollution Control Revenue Bonds, to enter into arrangements to provide credit enhancement for the Bonds, and to occasionally replace or modify the credit arrangements supporting the Bonds. Commissioner Rowe moved to grant Default Order No. 5849. Commissioner Fisher seconded the motion, which passed unanimously. Commissioner Anderson voted aye.

APPEARANCE

Bonnie Lorang
Transportation Division

(196) In the matter of Docket T-93.124.RR; Burlington Northern Railroad Company has filed a motion to withdraw their application to remove the Cedar Spur Track located at Troy, Montana. BNRC states that "subsequent to filing this petition, counsel for BNRC learned that the track in question was constructed and used for purposes of the railroad, as opposed to providing rail service to the public. In the future, BNRC will likely be submitting a Notice of Removal for the Cedar Spur trackage."

Commissioner Rowe moved to grant Motion to Withdraw. Motion was withdrawn and item was scheduled for work session.

(197) In the matter of Docket T-95.6.PCN; In the matter of the application of DAKETO-

KACATE Great Falls, Montana to amend Montana Intrastate Certificate of Public Convenience and Necessity, PSC 904. Protestant Karst has filed a Motion to Compel Answers to Interrogatories. Interrogatories were served March 23, 1995. The hearing is scheduled for May 18, 1995. Karst requests that the applicant be ordered to respond to interrogatories by May 10, 1995, or in the alternative, vacate the hearing set for May 18, 1995. Commissioner Oberg moved to compel party to answer interrogatories by May 10, 1995 at 5:00 p.m. Commissioner Fisher seconded the motion, which passed unanimously. Commissioner Anderson voted aye.

(198) In the matter of Docket T-95.22.RR; Montana Rail Link, Inc., Missoula, Montana filed notice with the Montana Public Service Commission, pursuant to 69-14-813(2), MCA to remove 348 feet of spur track, including the turnout, and loading dock located on the "Uptown Spur" between Wallace and Ida Streets, Bozeman, Montana. Montana

Rail Link, Inc. states they recently completed construction of a new public loading dock and therefore propose to remove the old dock. They further state that the spur track has not been used in the preceding five (5) years.

No protests have been received.

Commissioner Fisher moved to grant trackage removal. Commissioner Fisher seconded the motion, which passed unanimously. Commissioner Anderson voted aye.

(199) In the matter of Docket T-95.23.RR; Montana Rail Link, Inc., Missoula, Montana filed notice with the Montana Public Service Commission, pursuant to 69-14-813(2), MCA to remove 480 Feet of the K-B Chemical Company spur track, located between roadway and 29th Street, at Billings, Montana. Montana Rail Link, Inc. states that the track has not been used in over five (5) years.

No protests have been received.

Commissioner Oberg moved to grant trackage removal. Commissioner Rowe seconded the motion, which passed unanimously. Commissioner Anderson voted aye.

(200) In the matter of TN1699; James Hagen dba Capital City Cab, Helena, Montana requests permission to suspend PSC No. 9024 for an initial six month period, April 27, 1995 to October 27, 1995.

Class B - Persons, in the City of Helena, Montana, and between points tributary thereto, but within a distance not exceeding fifty (50) miles in any direction from said city. Limitations: Regular or scheduled service as a jitney or bus is prohibited on or over any route.

Commissioner Rowe moved to grant request for initial suspension for 6 months. Commissioner Fisher seconded the motion, which passed unanimously. Commissioner Anderson voted aye.

(201) In the matter of the approval of June 1995 Calendar; Commissioner Fisher moved to approve the June, 1995 calendar. Commissioner Rowe seconded the motion, which passed unanimously. Commissioner Anderson voted aye.

There being no further business to come before the Commission the meeting was adjourned.

NANCY McCAFFREE, Chair

DAVE FISHER, Vice Chair

BOB ANDERSON, Commissioner

DANNY OBERG, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Wednesday, May 10, 1995, the following members were present:

Nancy McCaffree, Chair
Dave Fisher, Vice Chair
Danny Oberg, Commissioner
Bob Rowe Commissioner

Commissioner Anderson was attending the NARUC - Renewables Conference in Madison, Wisconsin but left his votes with the Commission Secretary.

APPEARANCE

Martin Jacobson, Bonnie Lorang

(202) In the matter of the Commission's discussion of the proposed adoption of a rule pertaining to the filing of Proof of Insurance for commercial tow truck firms; Commissioner Rowe moved to issue Notice of Agency Adoption of Rules. Commissioner Fisher seconded the motion, which passed unanimously. Commissioner Anderson voted aye.

APPEARANCE

Karen Hammel, Robin McHugh

(203) In the matter of Montana Independent Telephone System (MITS) petition for late intervention; Commissioner Fisher moved to grant late intervention to MITS with no right to delay procedural schedule. Commissioner Rowe seconded the motion, which passed unanimously. Commissioner Anderson voted aye.

There being no further business to come before the Commission the meeting was adjourned.

NANCY McCAFFREE, Chair

DAVE FISHER, Vice Chair

BOB ANDERSON, Commissioner

DANNY OBERG, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Wednesday, May 10, 1995, the following members were present:

Nancy McCaffree, Chair
Dave Fisher, Vice Chair
Danny Oberg, Commissioner
Bob Rowe Commissioner

Commissioner Anderson was attending the NARUC - Renewables Conference in Madison, Wisconsin and did not leave his votes with the Commission Secretary.

APPEARANCE

Wayne Budt, Laura Calkin, Kathy Anderson, Bonnie Lorang

(204) In the matter of the Commission's discussion with the Safety Committee; Commissioner Rowe moved to adopt the recommendations of the PSC Safety Committee for policy guidelines, statements and inclusion of said material in PSC Operational Manual (aka Blue Book). Commissioner Fisher seconded the motion, which passed unanimously.

APPEARANCE

Wayne Budt, Dan Elliott, Laura Calkin

(205) In the matter of the Commission's discussion of it's budget; Commissioner Rowe moved to approve out-of-state travel for two staff members (Joel Tierney and Dave Burchett) to attend the Michigan State Program, commonly known as "Camp NARUC". The dates of the program are July 31 - August 11, 1995. Commissioner Fisher seconded the motion, which passed unanimously.

Commissioner Oberg moved to authorize Wayne Budt to attend FRA (Federal Railroad Association) meetings on railsafety issues in South Carolina in June, 1995. Commissioner Rowe seconded the motion, which passed unanimously.

(206) In the matter of U S West Communications request for a continuing protective order - USWC N-95-36; Commissioner Rowe moved to grant a protective order for four (4) years with two (2) amendments which 1) requires material pursuant to this order include a non-proprietary summary and 2) notice of receipt of said material will be noticed on our agenda. Commissioner McCaffree seconded the motion.

As a substitute motion, Commissioner Oberg moved to grant the requested protective order with an amendment which requires a non-proprietary cover sheet. Commissioner Fisher seconded the motion, which passed unanimously. There being no further business to come before the Commission the meeting was

adjourned.

NANCY McCAFFREE, Chair

DAVE FISHER, Vice Chair

DANNY OBERG, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Thursday, May 11, 1995 the following members were present:

Nancy McCaffree, Chair
Dave Fisher, Vice Chair
Danny Oberg, Commissioner
Bob Rowe Commissioner

Commissioner Anderson was attending the NARUC - Renewables Conference in Madison, Wisconsin and did not leave his votes with the Commission Secretary.

APPEARANCE
Robin McHugh, Mike Lee

(207) In the matter of the Commission's discussion of issuing a notice for AT&T, Docket No. 95.4.118 - 1+ IntraLATA Equal Access; Commissioner Oberg moved to approve a draft order subject to editing which notices receipt of a petition from AT&T for a rulemaking hearing on IntraLATA equal access (commonly known as 1+) and allowing 30 days for a response and comments from interested parties. Commissioner Rowe seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

NANCY McCAFFREE, Chair

DAVE FISHER, Vice Chair

DANNY OBERG, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, May 15, 1995, the following members were present:

Nancy McCaffree, Chair
Dave Fisher, Vice Chair
Bob Anderson, Commissioner
Danny Oberg, Commissioner
Bob Rowe Commissioner

APPEARANCE

Dan Elliott, Administrator
Utility Division

(208) In the matter of USWC - DOCKET N-95-32; On April 13, 1995, USWC filed Tariff Transmittal 95-9 proposing to introduce a promotion for its 800 SERVICELINE offering. Under the promotion, the \$25.00 nonrecurring charge would be waived for residential and business customers that subscribe to 800 SERVICELINE between May 15, 1995 and June 30, 1995. Commissioner Rowe moved to approve the service line promotion and waive the \$25.00 nonrecurring charge. Commissioner Fisher seconded the motion, which passed unanimously.

(209) In the matter of USWC - DOCKET N-95-38; On April 27, 1995, pursuant to the Company's ISDN tariff, USWC filed for approval to provide one ISDN line to Montana State University. Commissioner Fisher moved to approve the tariff. Commissioner Anderson seconded the motion, which passed unanimously.

(210) In the matter of AT&T - DOCKET N-95-39; On May 2, 1995, AT&T filed for authority to offer an IntraLATA Discount Promotion. With AT&T Clear Advantage customers receive a maximum 10% discount if their bills exceed \$50.00/month. AT&T requests that the enrollment period begin Wednesday May 9, 1995, and ends June 30, 1995. In the same filing AT&T proposes to introduce a new billing option, Option VI, for AT&T CustomNet Service-Option S. This billing plan provides customers a discount based on a minimum monthly usage commitment. Staff recommends approval. Commissioner Rowe moved to approve both issues of the filing. Commissioner Fisher seconded the motion, which passed unanimously.

(211) In the matter of USWC - DOCKET N-95-26; On March 29, 1995, USWC filed for authority to introduce "contract" intraLATA telecommunication options for large busi ness customers. Staff recommends approval. Commissioner Fisher moved to grant authority to introduce "contract" intraLATA options. Commissioner Rowe

seconded the motion, which passed unanimously.

APPEARANCE
Bonnie Lorang
Transportation Division

(212) In the matter of Docket T-95.17.PCN; David E. Marshall dba Elkhorn Excursions, Boulder, Montana applied for a Montana Intrastate Certificate of Public Convenience and Necessity. Parties have stipulated to the following grant of authority.

Class B - Passengers between radon health mines located in Jefferson County and points located within Jefferson, Lewis & Clark, Powell & Silver Bow Counties. Limitations: Transportation is limited to that provided with vehicles having a rated seating capacity of twelve passengers or less. Transportation of passengers in charter service is prohibited. Transportation of railroad crews is prohibited. Transportation by limousines is prohibited.

Commissioner Anderson moved to approve stipulated grant of authority. Commissioner Rowe seconded the motion, which passed unanimously.

(213) In the matter of TN1700; Manly Gauger dba City Delivery Service, Billings, Montana requests permission to suspend PSC No. 1571 for a final six month period, May 7, 1995 to October 7, 1995.

Class C - Property within the City of Billings, Montana, and to or from points tributary thereto, but within a distance not exceeding ten (10) miles in any direction from said city.

Class B - Household goods (as defined by Commission) from Billings, Montana and points within a radius of ten (10) miles in any direction from said city to all points and places in the State of Montana and from all points and places in the State of Montana to Billings and points within a radius of ten (10) miles in any direction from said city.

Commissioner Rowe moved to suspend PSC 1571 for a final six month period. Commissioner Fisher seconded the motion, which passed unanimously.

(214) In the matter of TN1701; Robert Roberts dba PDQ Transfer, Billings, Montana requests permission to suspend PSC No. 983 for a final six month period, May 7, 1995 to October 7, 1995.

Class B - Household goods (as defined by Commission) from Billings and points within a radius of ten (10) miles in any direction from said city to all points in the State of Montana and from all points and places in the State of Montana to Billings and points within a radius of ten (10) miles in any direction from said city.

Commissioner Fisher moved to suspend PSC No. 983 for a final six month period.

Commissioner Rowe seconded the motion, which passed unanimously.

(215) In the matter of TN1702: Lawrence M. Rummans dba Diamond Willow stage Line, Lewistown, Montana requests permission to suspend PSC No. 9138 for a final six month period, May 1, 1995 to October 1, 1995.

Class B- Passengers and baggage in charter service, between all points and places within the state of Montana. Limitations: 1)There will be no more than twelve (12) passengers per vehicle transported. 2) All charter trips shall originate in Fergus County, Montana, then may travel to all points and places within the State of Montana and return to Fergus County, Montana, for termination.

Commissioner Oberg moved to suspend PSC No. 9138 for a final six month period. Commissioner Fisher seconded the motion, which passed unanimously.

(216) In the matter of the approval of Minutes; Commissioner Rowe moved the approve the March 6, 1995, March 13, 1995, March 20, 1995, and March 27, 1995 minutes. Commissioner Fisher seconded the motion, which passed unanimously. There being no further business to come before the Commission the meeting was adjourned.

NANCY McCAFFREE, Chair

DAVE FISHER, Vice Chair

BOB ANDERSON, Commissioner

DANNY OBERG, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, May 22, 1995, the following members were present:

- Nancy McCaffree, Chair
- Dave Fisher, Vice Chair
- Danny Oberg, Commissioner
- Bob Rowe Commissioner

Commissioner Anderson was attending the NARUC - Nuclear Meeting in Washington, D.C. but left leave votes with the Commissioner Secretary.

NOTE: There was no Utility Division Agenda Action Items.

APPEARANCE
Bonnie Lorang

Transportation Division

(217) In the matter of Docket T-94.71.PCN; Michael W. Hellman dba Willies Bus Service, Chinook, Montana filed an application for a Montana Intrastate Certificate of Public Convenience and Necessity authorizing transportation of passengers, Class C, between all points and places in the State of Montana, with limitations.

Applicant requests that the application be withdrawn and the docket closed.

Commissioner Oberg moved to allow application to be withdrawn. Commissioner Rowe seconded the motion, which passed unanimously.

(218) In the matter of the approval of Minutes; Commissioner Fisher moved for the approval of the April 3, 1995, April 10, 1995, April 17, 1995, and April 21, 1995 minutes. Commissioner Rowe seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

NANCY McCAFFREE, Chair

DAVE FISHER, Vice Chair

DANNY OBERG, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, May 22, 1995, the following members were present:

Nancy McCaffree, Chair
Dave Fisher, Vice Chair
Danny Oberg, Commissioner
Bob Rowe Commissioner

Commissioner Anderson was attending the NARUC - Nuclear Meeting in Washington, D.C. but left leave votes with the Commissioner Secretary.

APPEARANCE
Robin McHugh

(218a) In the matter of the Commission's discussion of PSC vs. USWC settlement offer; Commissioner Fisher moved to close the meeting. Commissioner Rowe seconded the motion, which passed. Commissioner McCaffree, Anderson, Rowe and Fisher voted aye. Commissioner Oberg voted nay.

There being no further business to come before the Commission the meeting was adjourned.

NANCY McCAFFREE, Chair

DAVE FISHER, Vice Chair

BOB ANDERSON, Commissioner

DANNY OBERG, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, May 22, 1995, the following members were present:

Nancy McCaffree, Chair
Dave Fisher, Vice Chair
Danny Oberg, Commissioner
Bob Rowe Commissioner

Commissioner Anderson was attending the NARUC - Nuclear Meeting in Washington, D.C. and did not leave votes on the following items.

APPEARANCE

Dan Elliott, Robin McHugh, Laura Calkin, Wayne Budt

(219) In the matter of the Commission's discussion of its budget and employee compensation; Commissioner Oberg moved to direct staff to draft a salary increase proposal for Kate Whitney. The increase should not more than \$4,000.00 on an annual basis due to a pay exception and draft documents for a grade increase commensurate with expanded responsibilities of Consumer Affairs Division. Commissioner Fisher seconded the motion, which passed unanimously.

(220) In the matter of the Commission's discussion of its budget and travel; Commissioner Fisher moved to approve out-of-state travel for Ron Woods to attend the Western Regional Transmission Association meeting in Salt Lake City, Utah on June 2, 1995. Commissioner Oberg seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

NANCY McCAFFREE, Chair

DAVE FISHER, Vice Chair

BOB ANDERSON, Commissioner

DANNY OBERG, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, May 23, 1995, the following members were present:

Nancy McCaffree, Chair
Dave Fisher, Vice Chair
Danny Oberg, Commissioner
Bob Rowe Commissioner

Commissioner Anderson was attending the NARUC - Nuclear Meeting in Washington, D.C. and did not leave a vote on the following item.

APPEARANCE

(221) In the matter of Great Falls Gas/Montana Consumer Counsel Stipulation Meeting; Commissioner

There being no further business to come before the Commission the meeting was adjourned.

NANCY McCAFFREE, Chair

DAVE FISHER, Vice Chair

DANNY OBERG, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Wednesday, May 24, 1995, the following members were present:

Nancy McCaffree, Chair
Dave Fisher, Vice Chair
Danny Oberg, Commissioner
Bob Rowe Commissioner

Commissioner Anderson was attending the NARUC - Nuclear Meeting in Washington, D.C. Commission Secretary spoke with Commissioner Anderson on May 25, 1995 and recorded his votes via telephone on the following items.

APPEARANCE

Mike Lee, Robin McHugh

(222) In the matter of the Commission's discussion of avoided costs and a petition from Montana Power Company to suspend its current avoided costs - Docket No. 95.5.22; Commissioner Rowe moved to issue a notice of receipt of petition from MPC to suspend avoided cost tariffs and invite comments from interested parties for 10 days. Commissioner Oberg seconded the motion, which passed unanimously. Commissioner Anderson voted aye.

APPEARANCE

Denise Peterson, Will Rosquist, Robin McHugh

(223) In the matter of the Commission's discussion of Montana Power Company's motion on decoupling adjustment mechanism - N-95-37; Commissioner Fisher moved to deny the motion of MPC to make certain adjustments to the decoupling adjustment as established by a stipulation approved by the PSC out of a general rate case. Commissioner Rowe seconded the motion, which passed unanimously. Commissioner Anderson voted aye.

APPEARANCE

Bonnie Lorang, Wayne Budt

(224) In the matter of the Commission's discussion of Burlington Northern Cedar Spur Track Removal, Troy, Montana - Docket No. T-93.124.RR; Commissioner Rowe moved to deny BN's petition to withdraw and grant the petition to remove the track. Commissioner Fisher seconded the motion, which passed unanimously. Commissioner Anderson voted aye.

There being no further business to come before the Commission the meeting was adjourned.

NANCY McCAFFREE, Chair

DAVE FISHER, Vice Chair

BOB ANDERSON, Commissioner

ATTEST:

DANNY OBERG, Commissioner

BOB ROWE, CommissionerKathlene M. Anderson
Commission Secretary
(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, May 30, 1995, the following members were present:

Nancy McCaffree, Chair
Dave Fisher, Vice Chair
Bob Anderson, Commissioner
Danny Oberg, Commissioner
Bob Rowe Commissioner

APPEARANCE

Dan Elliott, Administrator
Utility Division

(225) In the matter of GFG - DOCKET NO. 94.11.52; an order has been prepared which approves the stipulations entered into between GFG and MCC and GFG and MPC. The GFG MCC stipulation results in a decrease in base rates of \$250,000. It also approves a surcharge associated with the manufactured gas site, as well as an increase in the NIP loan surcharge. Rates are to be effective for service rendered on and after July 1, 1995. Commissioner Anderson moved to approve the stipulation and grant Final Order No. 5813A. Commissioner Rowe seconded the motion, which passed unanimously.

(226) In the matter of CITY OF RONAN - DOCKET NO. 95.4.16; on April 13, 1995, the City of Ronan filed an Application with the Commission requesting a sewer rate increase to provide revenues to defray increased operation and maintenance expenses and to repay a loan from the State Revolving Fund taken to conduct capital improve ments to the system. The proposed 53% increase will generate approximately \$59,000 in additional annual revenues. A Notice of Opportunity for Public Hearing was issued April 18, 1995, with protests and requests for hearing due by May 17, 1995. No protests or requests for hearing have been received. Commissioner Rowe moved to approve Unprotested Order No. 5850. Commissioner Fisher seconded the motion, which passed unanimously.

(227) In the matter of the town OF NASHUA-DOCKET NO.95.4.20; On April 26, 1995, the Town of Nashua filed an Application with the Commission requesting a water rate increase to provide revenues to repay a loan taken to finance a water system improvement program. The proposed 32% increase will generate approximately \$11,022 in additional annual revenues. A Notice of Opportunity for Public Hearing was

issued May 2, 1995, with protests and requests for hearing due by May 22, 1995. No protests or requests for hearing have been received. Commissioner Oberg moved to grant Default Order No. 5851. Commissioner Rowe seconded the motion, which passed unanimously.

(228) In the matter of USWC-DOCKET NO. N-95-27; On March 29, 1995, USWC filed Tariff Transmittal 95-8 for authority to revise its tariffs. The revisions clarify the prohibition of the arbitrage or avoidance of toll and/or access charges by use of overlapping Extended Area Service locations and local service features. Staff recommends approval of this filing. Commissioner Fisher moved to approve the tariff filing. Commissioner Rowe seconded the motion, which passed unanimously.

(229) In the matter of MDU-DOCKET NO N-95-43; On May 15, 1995, MDU filed for authority to revise its Special Interruptible Gas Transportation Service tariff - Rate 80. Currently, Rate 80 is applicable to gas transported for electricity generation at MDU's Miles City and Glendive combustion turbines. MDU proposes to make Rate 80 available to its steam generating unit at Sidney. MDU also proposes to remove the fuel charge component from Rate 80. The fuel charge component of MDU's transportation rates is designed to recover costs associated with gas losses on MDU's distribution system. Since Rate 80 I for transmission level service, the fuel charge is not applicable. Commissioner Oberg moved to approve the request for authority to revise tariff - Rate 80. Commissioner Rowe seconded the motion, which passed unanimously.

(230) In the matter of USWC - DOCKET NO. N-95-40; On May 3, 1995, pursuant to its ISDN tariff, USWC filed for approval to provide an ISDN line to the Margret Leary School in Butte. Commissioner Fisher moved to approve the ISDN tariff. Commissioner Rowe seconded the motion, which passed unanimously.

(231) In the matter of USWC - DOCKET NO. N-95-42; On May 16, 1995, pursuant to its ISDN tariff, USWC filed for approval to provide an ISDN line to the Montana Department of Insurance in Helena, Montana. The contractual terms and prices for this application are the same as those previously approved for St. Patrick's Hospital in Missoula. Commissioner Oberg moved to approve the ISDN tariff. Commissioner Rowe seconded the motion, which passed unanimously.

APPEARANCE
Bonnie Lorang
Transportation Division

(232) In the matter of Docket No. T-95.25.RR, Burlington Northern Railroad Company, Fort Worth, Texas filed notice with the Montana Public Service Commission, pursuant to 69-14-

813(2), MCA to remove trackage located on the Montana Division Milk River Subdivision, mile post 343, line segment 35, comprising 920 track feet. The track is designated as a side track located in Malta, Montana. No protest were received. Commissioner Oberg moved to approve the removal. Commissioner Fisher seconded the motion, which passed unanimously.

(233) In the matter of Docket No. T-95.27.RR, Burlington Northern Railroad Company, Fort Worth, Texas filed notice with the Montana Public Service Commission, pursuant to 69-14-

813(2), MCA to remove trackage located on the Montana Division Milk River Subdivision, mile post 294, line segment 35, comprising 3,855 track feet. The track is designated as a side track located at Vandalia, Montana. No protest were received. Commissioner Oberg moved to approve the removal. Commissioner Rowe seconded the motion, which passed unanimously

(234) In the matter of Docket No. T-95.28.PCN, Eugene F. Stock, Michael D. Stock, and James E. Stock dba Loc Proof Management Co., Ptnr., Billings, Montana filed an application for a Montana Intrastate Certificate of Public Convenience and Necessity authorizing the following:

Class C - Passengers between all points and places within Carbon, Stillwater, and Yellowstone Counties. Limitations: Transportation limited to that provided under contracts with Proof Ent., Inc. dba Shooters Casino and L.O.C., Inc. dba Lamplighter Lounge only.

Applicants request that the application be withdrawn. Commissioner- Rowe moved to grant the request for withdrawal of application. Commissioner Fisher seconded the motion, which passed unanimously.

(235) In the matter of the approval of the July, 1995 calendar; Commissioner Rowe moved to approve the calendar as amended. Commissioner Oberg seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

NANCY McCAFFREE, Chair

DAVE FISHER, Vice Chair

BOB ANDERSON, Commissioner

DANNY OBERG, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)At the meeting of the Public Service Commission of the State of Montana held at the Commis-

sion's Offices in Helena, Montana, on Wednesday, May 31, 1995, the following members were present:

Nancy McCaffree, Chair
Dave Fisher, Vice Chair
Bob Anderson, Commissioner
Danny Oberg, Commissioner
Bob Rowe Commissioner

APPEARANCE
Dennis Crawford, Joel Tierney

(236) In the matter of Docket No. 95-4-17 - West Yellowstone Gas Co.; Commissioner Fisher moved to grant final approval of waiver for installation. Commissioner Rowe seconded the motion, which passed unanimously.

APPEARANCE
Martin Jacobson, Mike Sheard Robin McHugh

(237) In the matter of the Commission's discussion of extended area of service rulemaking; , Commissioner Rowe moved to approve the Notice of Commission Action establishing a timeline for consideration and directing staff to publish the proposed rules. Commissioner McCaffree seconded the motion, which passed unanimously.

APPEARANCE
Wayne Budt, Dave Burchett

(238) In the matter of Docket No. T-94.92; the Commission's discussion of complaints and audits related to Dick Irvin, Inc., a Montana trucking company; Commissioner Fisher moved to direct staff to prepare an order closing the docket. Commissioner Fisher seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

NANCY McCAFFREE, Chair

DAVE FISHER, Vice Chair

BOB ANDERSON, Commissioner

DANNY OBERG, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)